



BellSouth Mobility

2222 Clearview Parkway
Metairie, LA 70001
(504) 883-7700

A.J. Taranto
District Manager
Louisiana

September 17, 1992


Ms. Elba Green
Louisiana Public Service Commission
P. O. Box 645
Metairie, LA 70004

REF: Fraudulent Account No. 504-452-1427

Dear Ms. Green:

Please be advised that BellSouth Mobility has resolved the issues raised by Mr. Richard T. Smith, Jr. in his letter dated July 2, 1992, to the Federal Communications Commission. I have enclosed a copy of a letter I sent to Mr. Smith on August 3, 1992. BellSouth Mobility is continuing to investigate the fraudulent circumstances surrounding this subscriber activation. Please call me if you have any further questions.

Sincerely,


A. J. Taranto
District Manager - LA
BellSouth Mobility

Enclosure



174-12



BellSouth Mobility

A.J. Taranto
District Manager
Louisiana

2222 Clearview Parkway
Metairie, LA 70001
(504) 883-7700

August 3, 1992

Mr. Richard T. Smith, Jr.
2795 Mt. Laurel Drive
Gretna, LA 70056

RE: Memoranda dated July 2, 1992 and July 29, 1992 from Mr. Richard T. Smith, Jr. to BellSouth Mobility

Dear Mr. Smith:

As General Manager of the State of Louisiana for BellSouth Mobility, please accept my sincere apology for any and all inconvenience employees and agents of our company have caused you during the past several weeks. I also apologize for any harassment you endured as a result of this unfortunate incident.

Please be aware that BellSouth Mobility at no time contacted or otherwise communicated with any credit bureaus with respect to this incident. Therefore, your credit history has been in no way adversely effected. Our collection agency has been contacted and has returned to us all records pertaining to mobile telephone number 504-452-1427.

As a result of this incident, local BellSouth Mobility procedure now requires that positive identification of all prospective subscribers be determined prior to service activation. In addition, all potential fraud situations will be reviewed by senior management on an ongoing basis to insure that our collection efforts are conducted in a professional and business-like manner.

BellSouth, through its landline and cellular subsidiaries, has proudly and positively served the people of the State of Louisiana for over 64 years. We provide thousands of Louisiana residents with challenging and rewarding livelihoods. Our corporate values include Respect for the Individual and Customer First, and we will continue to strive to meet these goals.

Mr. Smith, again I apologize for the inconvenience this incident has caused you and ask that you contact me personally at (504) 883-7777 if there is anything I can further do to demonstrate our regret over the circumstances of the past several weeks.

Sincerely,

A handwritten signature in dark ink, appearing to read 'A. J. Taranto', with a stylized flourish at the end.

A. J. TARANTO
General Manager - Louisiana
BellSouth Mobility

cc: Ed Reynolds
Vice President
BellSouth Mobility

FEDERAL COMMUNICATIONS COMMISSION
Common Carrier Bureau
Enforcement Division
Informal Complaints and Public Inquiries Branch
Suite 6202
Washington, D.C. 20554
202-632-7553

In Reply Refer To:
63203
IC-92-08150

12 AUG 1992

RECEIVED

AUG 17 1992

LOUISIANA PUBLIC SERVICE
COMMISSION

Louisiana Public Service Commission
One American Place, Suite 1630
Baton Rouge, Louisiana 70825

Under the Communications Act, the jurisdiction of the FCC is limited generally to interstate and foreign telecommunications service matters. The issues raised in the enclosed complaints from consumers appear to be within your agency's jurisdiction. By copy of this letter, we are notifying the consumers that their correspondence is being referred to your agency for appropriate action and that they should contact your agency if they have questions or concerns about their complaints.

Sincerely,



Marsha A. Bell
Program Analysis Assistant
Informal Complaints and Public
Inquiries Branch
Enforcement Division
Common Carrier Bureau

Enclosure
(Copy of letter to Consumer(s))
Copy of complaint(s) to above-listed agency)

RECEIVED

AUG 24 1992

LA PUBLIC SERVICE COMMISSION

92008150

RECEIVED

JUL 7 1992

FCC MAIL BRANCH

2 July 1992

Bell South Mobility
2222 Clearview Parkway
Metairie, LA 7001-2437

Certified Letter No. P 028 575 406

Ref. Fraudulent Acct. No. 504-452-1427

Dear Sir,

Attached is a copy of a bill for the above referenced account which I recently received from Bell South Mobility. To set the record straight once and for all, this letter is to advise you that I have NEVER HAD A MOBILE PHONE FROM BELL SOUTH MOBILITY OR FROM ANY OTHER MOBILE PHONE COMPANY! I will NOT pay this bill nor will I be held responsible for it.

Some history is in order:

- 1) On approximately 3 June 1992, I received a message on my answering machine from Bell South Mobility stating that they urgently needed to talk to me regarding my mobile phone and bill. Note that they were quite pushy in this message.
- 2) I responded by phone to Bell South the next day and told Bell South that I have never had a mobile phone and that there must be some mistake. At this time I also requested information as to how Bell South had gotten my name as a contact for this bill.
- 3) Bell South replied to my questions as follows:
 - a) The phone was applied for in person by a man who stated his name was Richard Smith.
 - b) Some time later, the man calling himself Richard Smith requested, in writing, on letterhead identifying him as President of the Greater New Orleans Youth Development Council, that he wished to receive the government discount.
 - c) After several attempts to contact this person, Bell South requested assistance from one of their collection agencies.
 - d) The collection agency responded by advising that there was a Richard T. Smith living in Gretna. The collection agency also provided them with my telephone no., address and Social Security Number (I guess I was mistaken in believing that it was against the law to use S.S. numbers as identification).
- 4) On or about 5 June 1992 and after discussing the matter with Bell South and after Bell South researched the matter further they advised me by phone of the following:
 - a) Since Bell South had NO PROOF WHATSOEVER that I was the person they were looking for, they had NO BASIS for holding me responsible for this bill.

- b) At this time Bell South asked if I would provide a copy of my driver's license so they could have a copy for their records. I replied that, since my privacy and integrity had already been violated, I did not feel it to be in my best interest to provide further personal information.

BELL SOUTH REPLIED THAT THIS WAS ACCEPTABLE TO THEM AND THAT MY PROVIDING OF THIS INFORMATION WAS OPTIONAL, THAT THEY WERE WRITING OFF THE BILL, AND THAT I WOULD NO LONGER BE HELD RESPONSIBLE FOR THE ABOVE PREVIOUSLY MENTIONED REASONS!

Obviously this is NOT the case!

I have now received a bill dated 21 June 1992 complete with NEW charges. I once again discussed this bill by telephone on 1 July 1992 with Bell South. At this time I was advised that I would HAVE TO PROVIDE A COPY OF SOMETHING WHICH HAS MY SIGNATURE ON IT in order to clear the matter.

The main point is this:

WHY SHOULD I HAVE TO PROVE THAT I AM NOT RESPONSIBLE FOR A BILL FOR WHICH BELL SOUTH HAS NO PROOF WHATSOEVER THAT I AM RESPONSIBLE FOR?

A few more points regarding Bell South's own negligence of their affairs and general disregard for the rights of private individuals come to mind:

- 1) Does Bell South do any research regarding the identification and credentials of persons applying IN PERSON for mobile phones?
- 2) Does Bell South rely on PROOF that the person they are attempting to collect from is indeed the correct person?
- 3) Does Bell South care about which individual pays them or whatever credit havoc they might introduce into an innocent individual's life AS LONG AS THEY GET THEIR MONEY?

The answer to all questions is obviously NO!

I think that there is only one way to impress upon Bell South that they need to clean up their act.

My time is valuable and I have bent over backwards in attempting to handle this matter in an amicable and gentlemanly manner. This has caused me to spend a great deal of time and concern for something which SHOULD NOT EVEN INVOLVE ME!

For these reasons I am requesting a bill for my services to help Bell South clear up their own internal screw up. After a great deal of thought I finally settled on the amount of the bill (\$2,409.21) as a fair amount for my services and hassle. Please make your check payable in U.S. currency drawn against a U.S. bank and send it to the address below:

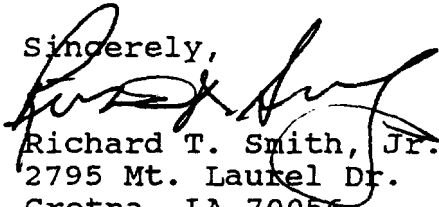
Richard Smith
2795 Mt. Laurel Dr.
Gretna, LA 70056

Along with your payment, I will require the following:

- 1) A letter on Bell South Mobility stationery stating the following:
 - a) An apology to me for my inconvenience.
 - b) A declaration that this is a Bell South error and that Bell South takes complete responsibility and holds me harmless forever for ANYTHING regarding this bill.
 - c) A copy of this letter is to be sent to ALL major credit bureaus in this country.
 - d) A thank you for my services in clearing up your own internal error.
 - e) The person signing the letter is to be of sufficient level and have the responsibility to sign a letter of this nature.

By the way, since I am signing this letter, I would assume that you can now confirm that I am not the individual who owes the bill.

Sincerely,


Richard T. Smith, Jr.
2795 Mt. Laurel Dr.
Gretna, LA 70056

cc w/attachments:

Bell South Mobility
P.O. Box 105623
Atlanta, GA 30348-5623

Better Business Bureau
Suite 400
1539 Jackson Ave.
New Orleans, LA 70130

Federal Communications Commission ✓
1919 M Street NW
Washington, DC 20554

Louisiana Public Service Commissioner
P.O. 91154
Baton Rouge, LA 70825

Federal Trade Commission
100 N. Central Expressway
Suite 500
Dallas, Texas 75201



BellSouth Mobility
A BELL SOUTH Company

2222 Clearview Parkway
Metairie, La 70001-2437

Billing inquiries, call Customer Service
24 hours a day 504-888-2110

All of us at BellSouth Mobility wish you a
Happy 4th of July Celebration!
Because we care, please, Buckle Up and Talk Safely.

2448 FP1 E14A52290**5DGT

RICHARD T. SMITH
2795 MOUNT LAUREL DR
GRETNA LA 70056-7753

504-452-1427

PREVIOUS BALANCE	PAYMENT RECEIVED	PAST DUE BALANCE		CURRENT MONTHLY CHARGES	CREDIT/ ADJUSTMENTS	TOTAL AMOUNT DUE
		BALANCE FORWARD	LATE PAYMENT CHARGE			
2,406.78	.00	2,406.78	.00	2.43	.00	2,409.21

Summary of Charges for Account: 504-452-1427

Previous Balance	2,406.78	
Payments Received thru 06/23/92	.00	
Past Due Balance		
Balance Forward	2,406.78	
Late Payment Charge	.00	
Total Past Due		2,406.78

Please remit immediately

Current Monthly Charges thru 06/21/92

Airtime Charges		
Total Roamer Charges (includes taxes)	2.36	
Airtime Usage 1.0 Minutes	.00	
(Peak 1.0)		
Taxes	.07	
(Federal .07)		
Total Current Monthly Charges		2.43
Total Amount Due Before 07/15/92		2,409.21

Account # 504-452-1427

Return THIS Portion With Payment

Met-02

Total Amount Due *
Due Before 07/15/92

2,409.21

* Please remit past due balance immediately

Amount Paid

\$

Billing inquiries, call Customer Service
24 hours a day 504-888-2110

RICHARD T. SMITH
2795 MOUNT LAUREL DR
GRETNA LA 70056-7753

Make check payable in U.S. currency
drawn against a U.S. bank to:



BellSouth Mobility
A BELL SOUTH Company

PO BOX 105623
ATLANTA GA 30348-5623

☐ Check here for change of address (See reverse)





Roamer Charges

(Type A=Airtime, T=Long Distance)

CITY ROAMED - LA PLACE, LA
CARRIER ID - MOBTEL

LINE	DATE	TIME	CITY CALLED	AREA NUMBER	TYPE	MIN	AMOUNT
1	05/27	0841	BATONROUGELA	504 342-7015	A	2.0	.72
2	05/27	0841	BATONROUGELA	504 342-7015	T	2.0	.46
3	05/27	0844	BATONROUGELA	504 925-4440	A	2.0	.72
4	05/27	0844	BATONROUGELA	504 925-4440	T	2.0	.46

Roamer Total

2.38

Detail Airtime Usage Charges

Airtime Messages

LINE	DATE	TIME	CITY CALLED	AREA NUMBER	PERIOD	MIN	AMOUNT
1	05/27	0740	NEWORLEANS LA	504 244-8006	P	1.0	.00

Airtime Total

.00

Taxes

.07

Total Charges For Mobile Number 452-1427

2.43

Commissioner
Kathleen Blanco
Lawrence St. Blanc - assistance
800-256-6004
GRENA

Public Service
P.O. 9/1/54
B.R. LA 70825 (3)
Consumer Protection Agency
FTC 100 N. Central Eway
Suite 500
DALLAS, TX 75201
(214) 767-5501
1539 Jackson Ave
Suite 400
NO LA 70130 BB3
528-9277
FCC
1919 M Street NW
Washing 20554



BellSouth Mobility

A BELL SOUTH Company

May 28, 1992

Glen F. Post III
President & CEO
Century Telephone Enterprises, Inc.
P. O. Box 4065
Monroe, LA 71211

RE: Cellular Acct. # 1003-261028
U. S. West

Dear Mr. Post:

My purpose in writing to you is to report a serious problem in your roaming charge bill to me for the period March 30 to April 17, 1992. My concern is that I spoke to Caroline Miller (Century) approximately two weeks ago regarding the bill and she said she would get back to me the same day or have someone call me. I called her back on May 26 at 9:00 A.M. She said she passed the problem on to your accounting department.

My major concern is that if you are overbilling me by \$30.00 to \$40.00 per this month on roaming charges and you are also doing this to everyone who travels into the La Crosse area, you are reaping big bucks into your bottom line.

It's time the FCC starts regulating Cellular roaming charges and controlling practices which can result in serious overbilling.

It has been three weeks since I phoned you regarding this bill, and as yet have nothing in writing from either Century or U.S. West.

I am considering discontinuing use of Cellular.

Very sincerely,

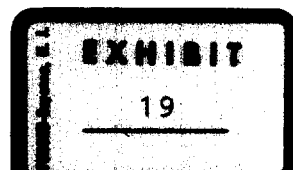


Marlyn A. Post
1391 W. 223rd Street
Jordan, MN 55352
(612) 492-6444

cc: U. S. West Cellular

✓ FCC

Better Business Bureau - MSP



—

20

LPSC CONSUMER REPORT FORM

DATE: 5/17/93 COMPANY: Nichile Tell
 NAME: Mr. Camp PARISH: St. Charles
 ADDRESS: P.O. Box 146 TIME: 9:58
Merid 70079 TAKEN BY: eg
 PHONE: (O) 764-1362 CONTACT: _____
 (H) - _____

ACCOUNT NUMBER: _____

REMARKS: ACC paid PSC only allows Mobil to
serve his area. They can't provide
service to some nearby parishes due to
dispute w/ Bellsmith and PSC not allowing
them to boost their area of service. For
example PSC won't allow them to boost
their LaPlace tower to Jefferson Parish.
He's been trying to get this matter resolved
since June 92. He wrote to ACC and they
sent letter to Baton Rouge PSC but no
one ever contacted him from PSC then a.m.
He called them and was given Comm. Shuegan's
number. Want matter resolved ASAP.

Referred to BATON Rouge.
Arnold will call -

Radiofone**Via Fax #1-404-249-4767****June 22, 1993**

**Mr. Earle Mauldin, President
BellSouth Mobility, Inc.
1100 Peachtree Street
Atlanta, GA 30309**

Dear Mr. Mauldin:

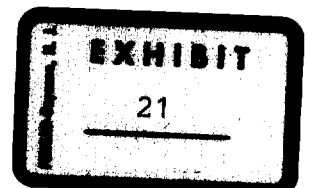
About a month ago I called Bill Brown about the cell site in Bogalusa, Louisiana not providing (denying service) to our cellular subscribers in the Bogalusa area who roamed on your station there.

After my report to Mr. Brown, Dave Helms contacted me and told me there had been a mistake - that the numbers for our subscribers should have been loaded but through an oversight were not.

On Friday, June 18, 1993, we received complaints from our subscribers that they were unable to use the service in the Plaquemine, Louisiana area. Upon sending our technician there, we determined that was indeed the case. We placed a call to Dave Helms in New Orleans, who had corrected the other problem, and had instructed us to call him if we had any further problems.

After inquiry back to Atlanta, he informed me that BellSouth Mobility's position was that there was service to the area on the "A" carrier side and that BellSouth Mobility would not entertain allowing any of our subscribers to roam on their system in the Plaquemine area.

Prior to Friday, June 18, 1993, our customers have been able to roam in the Plaquemine area. When I discussed this with Dave Helms, he told me that the reason that they received coverage down there is that they were in the Plaquemine area from a different cell and it was set up differently before Friday, but that things had been changed. I believe that you have terminated service to our customers in contradiction to the Louisiana Public Service Commission order, which says that one utility cannot terminate service to another utility without a hearing before the Public Service Commission.



Mr. Earle Mauldin
June 22, 1993
Page 2

Dave Helms specifically told me that under no circumstances would BellSouth Mobility turn back on or turn on our subscribers in the Plaquemine area over the weekend as an interim measure until the matter could be further discussed. He told me specifically that the units would remain turned off and nothing whatsoever could be done until Monday, and that Monday nothing was expected to be done as the official position was that you would not service our customers in the Plaquemine area due to there being another carrier in the area. This is not the criteria under which our agreement has been in place. As you will recall, you will not allow our New Orleans customers to roam in the New Orleans area, and you will not allow the Baton Rouge customers to roam in the Baton Rouge area; however, the New Orleans customers are allowed to roam in Baton Rouge, and the Baton Rouge customers are allowed to roam in New Orleans. Dave Helms' very emphatic response to me appears to be a shift in BellSouth Mobility's policy on this matter, without any notice, and to the detriment to public subscribers and our company.

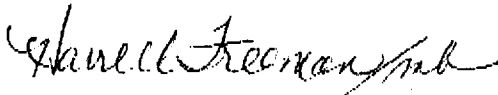
We believe this is contrary to public interest, and contrary to the mandate from the Public Service Commission not to induce each other's customers to switch. The unavailability in that area to our subscribers, when they can obtain service on your system, is a very strong inducement to those subscribers who need coverage in that area to switch.

I, therefore, request that you immediately give us roaming privileges in the Plaquemines area so that our customers, the public, can be served.

I hope to hear from you today.

Sincerely,

RADIOFONE, INC.



Harrell Freeman

HF:mb

cc: Mr. John L. Clendenin, BellSouth Corp.
Mr. Bill Brown, BellSouth Mobility
Louisiana Public Service Commission
Federal Communications Commission
U.S. Department of Justice

—



Louisiana Public Service Commission

POST OFFICE BOX 91154
BATON ROUGE, LOUISIANA 70821-9154

COMMISSIONERS

Telephone:

(504) 342-9888

MARSHALL B. BRINKLEY
Secretary


ROY F. EDWARDS
Assistant to the
Secretary

Kathleen Babineaux Blanco, *Chairman*
District II
John F. Schwegmann, *Vice Chairman*
District I
Thomas Powell, *Member*
District IV
Don L. Owen, *Member*
District V
Irma Muse Dixon, *Member*
District III

I, Brian A. Eddington, Assistant Secretary of the Louisiana Public Service Commission, do hereby certify that the hereto attached is a true and correct copy of the document(s) described following:

Louisiana Public Service Commission's General Order dated December 7, 1989. In re: Prohibition against termination of service by a providing utility against a consuming utility absent notice to the affected Commission District and main office and an opportunity to eliminate the cause for termination.

TESTIMONY WHEREOF, I have hereunto officially signed my name and affixed the seal of the Louisiana Public Service Commission at Baton Rouge, Louisiana, this 5 day of August, 1994.



ASSISTANT SECRETARY

LOUISIANA PUBLIC SERVICE COMMISSION

GENERAL ORDER

In re: Prohibition against termination of service by a providing utility against a consuming utility absent notice to the affected Commission District and Main office and an opportunity to eliminate the cause for termination.

The Commission has an obligation to the ratepayers of this State to ensure that the rendition of utilities service to the consuming public is provided with minimal interruption.

It has come to the attention of the Commission that on occasion utility service by a regulated utility to another regulated utility has been terminated for delinquent account status or for other reasons. Termination of this primary service to the second utility in turn has caused interruptions of service to its customers, endangering the health, safety and welfare of those customers and their families as well as to the public at large. On occasion, these terminations may not have been brought to the attention of the Commission Staff who therefore had not an opportunity to intervene in an attempt to alleviate the problem.

To prevent reoccurrence of this situation and to insure that causes for termination, including but not limited to delinquent account status, are rectified in an expeditious fashion, and to apprise the Commission of the potential for service interruptions to the public, the following General Order is adopted:

IT IS ORDERED that before a regulated utility may terminate service to another regulated utility the following procedure must be followed:

- 1). Notice of intent to terminate service must be sent by certified mail to the consuming utility at its last known address. The terminating utility shall check with the utilities staff in the main office to verify the correct address of the utility to be terminated.
- 2). A copy of the notice of intent to terminate shall be sent certified mail to the Commission office located in the same district or districts as the utility whose service is to be terminated as well as to the utilities staff in the main office. The failure of the district office to receive timely notice shall constitute prima facie evidence of unlawful termination. The Commission Staff shall make reasonable efforts to contact the utility to whom service is to be terminated with the goal of mediating the dispute in hopes of avoiding disconnection.
- 3). The content of the notice shall state:
 - a) the name, address and account number of the consuming utility;
 - b) a plain statement of the grounds upon which the right to terminate service is founded and;
 - c) the exact date and time service will be discontinued.
- 4). No providing utility may discontinue service to a consuming utility before the date and time given on the notice of intent to terminate. In no case shall disconnection be effected less than fifteen (15) days from date of mailing of the notice of intent. In the event service is not terminated on the date and time given in the initial notice, service may not be disconnected without following a subsequent notice of intent to disconnect pursuant to this General Order.
- 5). If the last day of the fifteen (15) day period falls on a Saturday, Sunday or legal holiday, the deadline will expire at the close of the terminating

- 6). All public utilities shall immediately take those steps necessary to identify their customers who are also public utilities. A list of those customers and their account numbers shall be provided to the respective district office and the main office. The Commission Staff will assist the public utilities in identifying those consuming utilities taking service from providing utilities as well as the name and telephone number of a contact person at the consuming utility.
- 7). In addition to any other remedy available at civil law, the terminating utility shall be liable for all damages to ratepayers of the consuming utility resulting in the unlawful termination.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
DECEMBER 7, 1989

/s/ DON OWEN
DISTRICT V
CHAIRMAN DON OWEN

/s/ THOMAS E. POWELL
DISTRICT IV
VICE CHAIRMAN THOMAS E. POWELL

/s/ KATHLEEN B. BLANCO
DISTRICT II
COMMISSIONER KATHLEEN B. BLANCO

/s/ LOUIS J. LAMBERT, JR.
DISTRICT III
COMMISSIONER LOUIS J. LAMBERT, JR.


SECRETARY

JOHN F. SCHWEGMANN ABSENT
DISTRICT I
COMMISSIONER JOHN F. SCHWEGMANN

General Steamship Corporation, LTD.

3500 North Causeway Blvd., Suite 1442, Metairie, Louisiana 70002

Telephone: (504) 833-7777
Telex: 3730273 GSCNOL
Fax: (504) 833-3130
Cable: "Gensteamco"

MAY 13, 1992

RECEIVED

MAY
13 1992

RADIOFONE
P. O. BOX 6228
METAIRIE, LA 70009-6228

LA. PUBLIC SERVICE COMMISSION

RE: TELEPHONE NUMBER (504) 884-4839

GENTLEMEN:

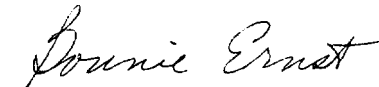
WE REGRET TO ADVISE THAT EFFECTIVE THIS DATE, WE ARE TERMINATING OUR SERVICE WITH RADIOFONE FOR MOBILE TELEPHONE NUMBER (504) 884-4839.

WHILE YOUR SALES REPRESENTATIVES, ACCOUNT REPRESENTATIVES AND REPAIR PEOPLE HAVE ALL DONE AN EXCELLENT JOB IN ASSISTING OUR PERSONNEL, THE BOTTOM LINE IN THIS BUSINESS IS TELEPHONE SERVICE. AND FOR QUITE SOME TIME, WE HAVE BEEN VERY UNHAPPY ABOUT THE LACK OF SERVICE RADIOFONE PROVIDES IN CERTAIN AREAS OF SOUTH LOUISIANA. IN THESE AREAS, IT HAS BECOME VIRTUALLY IMPOSSIBLE TO RECEIVE OR TO MAKE TELEPHONE CALLS. THIS HAS AFFECTED OUR SERVICE TO OUR CLIENTS CONSIDERABLY.

WE HAVE TRIED TO BE PATIENT, HOPING THAT RADIOFONE COULD SOLVE THESE PROBLEMS, BUT WE CANNOT CONTINUE WITH THE POOR SERVICE WE EXPERIENCE IN CERTAIN AREAS. OUR BUSINESS JUST WON'T ALLOW US TO CONTINUE OPERATING THIS WAY.

WE THANK YOU FOR YOUR PROMPT ATTENTION TO THIS MATTER.

SINCERELY,



BONNIE ERNST
OFFICE MANAGER

/BME

CC: PUBLIC SERVICE COMMISSIONER
DISTRICT NO. ONE
P. O. BOX 645
METAIRIE, LA 70004

